

**REMARKS**

**I. Status of the Application**

Claims 2-4, 6-8 and 10-19 are all the claims pending in the application. Claims 2-4, 6-8 and 10-19 stand rejected.

**II. Anticipation Rejections**

Claims 2, 3, 6, 7, 10, 11, 13-16 and 18 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Einola et al. (U.S. Pat. No. 6,771,964; hereinafter “Einola”). Applicant respectfully traverses this rejection.

**A. Claims 2, 6, 10, 13-15 and 18**

Claim 2 recites a method of establishing a connection to a desired communications network, comprising, *inter alia*, the steps of:

sending a request signal to each of a plurality of communications networks;

allowing a user to select one of said plurality of networks based on the indicated response signals; and

establishing a connection to the selected communications network, wherein said response signals indicate the traffic congestion level for each of said plurality of communications networks.

Einola, by contrast, teaches a method for “performing network-assisted handover of calls between a serving network and another network.” See Einola Abstract. In other words, Einola

only discloses a network-assisted handover of calls between one serving network and one neighboring network, not a plurality of networks, as claim 2 requires. Thus, Einola does not teach or suggest all of the limitations of claim 2 of the presently pending application.

As such, Applicant submits that independent claim 2 is patentable over the applied reference Einola for at least these reasons. Likewise, independent claims 6, 10, 13-15 and 18 include similar features, and are allowable for the same reasons as stated above regarding claim 2. Applicant further submits that dependent claims 3, 7 and 11 are patentable at least by virtue of their respective dependency on independent claims 2, 6, 10 and 13-15.

Applicant therefore respectfully requests that the Examiner withdraw the rejections of independent claims 2, 6, 10, 13-15 and 18, and dependent claims 3, 7 and 11.

**B. Claim 16**

Claim 16 recites a method of establishing a connection to a selected network, comprising, *inter alia*, the step of:

sending a rerouting message from the center to said user terminal via said first communications network for identifying a second communications network whose congestion level is lower than a predefined threshold level to thereby allow a user to send a connection request to said second communications network.

In other words, claim 16 requires allowing the user to send a connection request to the second communications network.

Einola, by contrast, discloses a method of handing over calls wherein “the core network node ... sends to the controller of the radio access network a signaling message ... so as to assist the controller of the radio access network portion in determining whether to initiate a handover to another network.” See Einola, col. 3, lines 24-34. That is, the determination of whether to handover calls “to another network” is performed by the combined efforts of the core network portion (MSC 20) and the radio access network controller (RNC 32), not the user, as claim 16 requires. See Einola, FIG. 3. Since Einola fails to disclose “allow[ing] a user to send a connection request to said second communications network,” Einola fails to teach all of the features of claim 16.

Accordingly, Applicant submits that independent claim 16 is patentable over the applied reference Einola for at least these reasons. Applicant therefore respectfully requests that the Examiner withdraw the rejection of independent claim 16.

**C. Amendments to Claims 13, 15, 16 and 18**

Additionally, Applicant herein amends claims 13, 15, 16 and 18. No new matter has been added.

### **III. Obviousness Rejections**

Claims 4, 8, 12, 17 and 19 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Einola in view of Vazvan et al. (U.S. Pat. No. 6,400,946; hereinafter “Vazvan”). Applicant respectfully traverses this rejection.

Initially, Applicant notes that Vazvan relates to the switching in a communication system that combines different access networks such as satellite networks and terrestrial networks.

Applicant further notes that the Examiner concedes Einola fails to “especially recite wherein said information indicates [the] tariff of each of said communications networks and wherein said second communications network has a least routing cost.” See Office Action, p. 11.

However, with regard to claims 4, 8, 12 and 19, and as pointed out above with respect to claims 2, 6, 10 and 18, Einola also fails to teach a method of establishing a connection to a desired network among a plurality of networks, as the claims require. Vazvan fails to cure these deficiencies.

Moreover, with regard to claim 17, and as pointed out above with respect to claim 16, Einola further fails to teach a method of allowing a user to send a connection request to said second communications network, as the claim requires. Again, Vazvan fails to cure the deficiencies of Einola.

Accordingly, Applicant submits that claims 4, 8, 12, 17 and 19 are patentable over Einola in view of Vazvan, at least by virtue of their respective dependency on independent claims 2, 6,

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10, 16 and 18. Accordingly, Applicant respectfully requests that the Examiner withdraw these rejections.

#### **IV. Conclusion**

In view of the foregoing, it is respectfully submitted that claims 2-4, 6-8 and 10-19 are allowable, and the application is now in condition for allowance. Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Please charge any fees which may be required to maintain the pendency of this application, except for the Issue Fee, to our Deposit Account No. 19-4880.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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**23373**

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